



PATENT
Docket No. 59427US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): BURTON, Scott et al.) Group Art Unit: 1615
Serial No.: 10/728,446)
Filed: 5 December 2003) Examiner: GHALI, Isis A.D.
For: SILVER COATINGS AND METHODS OF MANUFACTURE

RESPONSE TO RESTRICTION REQUIREMENT
AND SPECIES ELECTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Election/Restriction Requirement mailed 16 April 2007, Applicants elect, with traverse, Group I (claims 1-14, 25, 36, and 37), drawn to a method of coating silver compounds on a substrate. Additionally, with respect to the species election, Applicants elect, with traverse, the following species: (a) adding oxidizing agent to the solution as recited in claim 12 (all elected claims but claim 13 encompass this species); (b) silver oxide as the silver-containing compound as specifically recited in claims 5 and 6 (all elected claims encompass this species); (c) ammonium carbonate as the ammonium-containing compound as specifically recited in claims 7 and 8 (all elected claims encompass this species); and (d) nonwoven gauze or a woven gauze as the substrate as specifically recited in claim 14 (all elected claims encompass this species).

Applicants respectfully request reconsideration and withdrawal or modification of the restriction requirement. It is respectfully submitted that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner. That is, all the claims are so interrelated that a search of one group of claims will reveal art to the others. More particularly, for reasons set forth below, rejoinder of Groups II and III with Group I is

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respectfully requested. Applicants submit that restriction between Inventions I, II, and III is improper, because claim 1 is generic to independent claims 15, 27, and thereby to claims dependent therefrom. Specifically, the "combining step" step recited in claims 15 and 27 are encompassed by the step of "combining a sparingly soluble silver-containing compound with an ammonium-containing compound to form an aqueous solution" recited in claim 1. Furthermore, the step of adding an oxidizing agent of claim 27 is an optional step of claim 1, as evidenced by claims 12 and 13.

Additionally, with respect to the species election, this election is with traverse to the extent that it is understood that (a) the requirement will be withdrawn upon the finding of an allowable genus; and (b) any species withdrawn from consideration will be transferred to the elected subject matter unless it is found patentably distinct from the elected or allowed claims. Applicants traverse on the grounds that the generic claim includes sufficiently few species that a search and examination of all the species at one time would not impose a serious burden on the Examiner.

Were restriction to be effected between the claims of Groups I, II, III, and IV, a separate examination of the claims in these four groups would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. More particularly, the scope of analysis of novelty of all the claims of Groups I, II, III, and IV would have to be as rigorous as when only the claims of Group I, for example, were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims are so interrelated.

Applicants reserve the right to pursue examination of any non-elected claims in continuation or divisional applications.

Response to Restriction Requirement and Species Election

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The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.10:

The undersigned hereby certifies that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated below and is addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: Margaret S. Willis
Name: Margaret S. Willis

"Express Mail" mailing label number:
EV 201879524 US

Date of Deposit: 8 May 2007

May 8, 2007
Date

AMM/reg/msw

Respectfully submitted

By

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